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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,779	Richard Dale	70269US
30279 DANA REWOLDT GARST SEED COMPANY 2369 330TH STREET PO BOX 500 SLATER, IA 50244	DEC 11 REC'D	INTERNATIONAL APPLICATION NO. PCT/GB04/02447
		I.A. FILING DATE      PRIORITY DATE 06/09/2004      07/08/2003
<b>CONFIRMATION NO. 3141</b> <b>371 FORMALITIES LETTER</b>  *OC00000021496399*		



Date Mailed: 12/06/2006

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 /

- 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**  
• **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
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For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

WINSTON M ALVARADO

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,779	PCT/GB04/02447	70269US

FORM PCT/DO/EO/922 (371 Formalities Notice)



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## Table of Contents

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Re:** Patent Application for Dale, et al      **Dated:** February 16, 2007  
**Serial No.:** 10/563,779      **Art Unit:**  
**Filed:** January 6, 2006      **Examiner**  
**For:** A Method of Selectively  
Producing male or Female Sterile  
Plants      **Action:** Response to  
Notification to Comply

**To:** Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

### TABLE OF CONTENTS FOR SECOND PRELIMINARY AMENDMENT

1. Table of Contents
2. Remarks including Sequence Listing Statement
3. Certificate of Service
4. Paper sequence listing
5. Sequence Listing on CRF
6. Copy of Notification to Comply



### CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Response to Notification to Comply for 10/563,779 is being mailed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 6 day of February 2007.

A handwritten signature in black ink that reads "David J. Ewert".